

Com.ULP.05/2020
(CNR No.MHLC340000572020)

Pramod Kayadwar -vs- M.S.R.T.C.

(ORDER BELOW EXH.U-12)
(Date : 08.03.2023)

Instant application has filed by the learned Counsel of complainant for issuing witness summons. It is submitted that the complainant wants to lead evidence of aforesaid witness as he was being without ticket passenger travelling from Chorgaon towards Chandrapur on the day of alleged checking. It is submitted that the said witness was not brought in the enquiry by the respondent and was never permitted him to call them and findings was issued and the same has decided against the complainant and as such his evidence is required to be lead for deciding the real controversy of the matter. Therefore, lastly prayed to issue witness summons to the witness as mentioned in the application.

02. The learned Counsel of the respondents has given say on this application and opposed the application. Lastly, prayed to reject the application.

03. Heard both the learned counsel of complainant and respondents. Perusal of the record, it appears that the witness which the complainant wants to examine is relevant witness in order to decide the real controversy between the parties. Therefore, this application needs to be allowed. Therefore, the complainant is directed to deposit T. A. and D.

A. of witness before issuance of the witness summons to the proposed witness or to paid it Hence, I pass the following order.

ORDER

- 1] Application - (Exh.U-12) is allowed.
- 2] Issue witness summons to the witness as prayed on P.F. and subject to the payment of witness Bhattas if any as per requirement of law.

CHANDRAPUR.

Date :- 08.03.2023.

Sd/-
(Smt. R. V. Mete)
Judge,
Labour Court, Chandrapur.